

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**CALVIN C. MONTGOMERY,**

**Defendant.**

**No. 06-cr-30071-DRH**

**ORDER**

**HERNDON, Chief Judge:**

Pending before the Court is the Government's motion to dismiss writ of execution (Doc. 119). Specifically, the Government moves to dismiss the September 21, 2009 writ of execution as the monies being held by the Illinois State Treasurer does not belong to Montgomery. Thus, the Court **GRANTS** the motion and dismisses the September 21, 2009 writ of execution (Doc. 116). Further, the Court **DENIES as moot** Montgomery's response to the Clerk's notice of post-judgment execution (Doc. 117).

**IT IS SO ORDERED.**

Signed this 6th day of January, 2010.

*/s/ David R. Herndon*

**Chief Judge  
United States District Court**